

### **Amendments to the Specification**

**Please amend paragraph [0039] beginning at page 16, line 13, as follows:**

**[0039]** As shown in FIG. 3, the first to third priority assigning parts 13a to 13c perform priority assignment in each different manner. In detail, in the first priority assigning part 13a, the priority assigned to the intra-coded packets is either high or low with a ratio of 1:1, and the priority to the inter-coded packets is low. In the second priority assigning part 13b, the priority assigned to the intra-coded packets is high, but to the inter-coded packets is low. The third priority-assigning part 13c assigns every incoming packet with a high ~~low~~ priority. Based on the priorities assigned as such, the first to third priority assigning parts 13a to 13c assign each packet with the second sequence number.

**Please amend paragraph [0050] beginning at page 21, line 12, as follows:**

**[0050]** As such, in the data transmission apparatus of the present embodiment, the manners of priority assignment are changed on the transmission side in consideration of the packet reception state, and thus the packets of high priority ~~quality~~ are decreased ~~increased~~ in number when the packet reception state is bad, and increased ~~decreased~~ in number with good packet reception state. In this manner, the data to be retransmitted can be controlled in amount, and thus data transmission can be efficiently performed with whatever available data capacity.